

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**ATTY DKT: VAN EIJK-17**

In re application of:	Confirmation No. 2423
Michael J. T. VAN EIJK	
Serial No. 10/560,968	Art Unit: 1637
Nat'l Phase Entry: : March 19, 2007	Examiner: Joyce TUNG
For: MEANS AND METHOD FOR THE DETECTION OF TARGET NUCLEOTIDE SEQUENCES USING LIGATION ASSAYS WITH IMPROVED OLIGONUCLEOTIDE PROBE PAIRS	Washington, D.C. March 13, 2009

**Response to Notice of Non-Compliant Amendment Under 37 CFR § 1.121**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
**Randolph Building, Mail Stop Amendments**  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This paper responds to the *Notice* mailed 03-09-2009 indicating absence of amendment markings in Claim 40 while its status identifier was “currently amended.”

A replacement set of claims with correction of the omitted markings is found in the Listing of Claims at page 2 of this paper.

Applicants refer the Examiner to the paper filed on March 4, 2009, for their response to the Restriction Requirement and applicable remarks.

REMARKS begin at page 7.